IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

CITIZEN POTAWATOMI NATION,   )
)
                  Plaintiff,   )
)
v.   )   Case No. CIV-16-361-C
)
STATE OF OKLAHOMA,   )
)
                  Defendant.   )

ORDER

On April 5, 2018, the Court, in accordance with the Tenth Circuit's mandate, vacated the arbitration award entered on April 4, 2016. In that Order, the Court directed the parties to show cause why this case should not be dismissed.

Plaintiff filed a Response requesting the Court stay dismissal of the case and maintain the injunctive portion of the earlier order. Defendant responded, noting that the order granting injunctive relief was premised on the Court's decision to confirm the arbitration award. Because that award has now been vacated as required by the Tenth Circuit decision, there is no basis to maintain the injunction. Defendant notes it does not object to staying the case pending resolution of Plaintiff's Petition for Certiorari.

As Defendant notes, the grant of injunctive relief was inextricably intertwined with the confirmation of the arbitration award. Because the Court has now vacated that award, any injunctive relief premised on that confirmation is necessarily void. Accordingly, Plaintiff's request for a stay will be denied. Plaintiff has demonstrated no need for ongoing administration of this case while the certiorari process proceeds. Accordingly,

the matter will be administratively closed pending completion of the certiorari process. The parties shall notify the Court within 10 days of the date the deadline for filing a Petition for Certiorari has passed and Plaintiff has not filed, or upon a decision on the Petition by the Supreme Court, whichever date is later.

As set forth more fully herein, Plaintiff's Motion to Stay Proceedings (Dkt. No. 32) is DENIED.   This case shall be administratively closed pending resolution of the certiorari process.   The parties shall provide the notice as set forth above.

IT IS SO ORDERED this 9th day of May, 2018.

ROBIN J. CAUTHRON
United States District Judge